

Board of Public Works
November 17, 2010

A regular meeting of the Board of Public Works of the Consolidated City of Indianapolis, Marion County, Indiana, was held the 17th day of November 2010, in the Public Assembly Room of the City County Building. Chair David Sherman called the meeting to order at 1:00 p.m.

Board members in attendance were: David Sherman Tony Samuel
Robert Parrin Kenneth Hughes

Absent:

Dorothy Henry Dennis Rosebrough
Cassie Stockamp

Staff in attendance was:

Larry Jones Mike Smith Allyson Pumphrey
Bob Masbaum Sue Michael Nicole Kelsey
Nekole Hulitt Monica Ferguson Sarah Holsapple
Diana Hamilton David Condon

ITEM # 1 – APPROVAL OF MINUTES

- a. Upon a motion by Mr. Parrin, seconded by Mr. Hughes, the Board voted 4-0 to approve and accept Board Minutes from September 8, 2010.
- b. Upon a motion by Mr. Parrin, seconded by Mr. Hughes, the Board voted 4-0 to approve and accept Board Minutes from September 22, 2010.

ITEM # 2 – RESOLUTIONS

The Chair diverted from the standard agenda to hear Item 2b, Resolution No. 63, 2010; Item 2a was heard towards the end of the agenda.

- a. Resolution No. 61, 2010; Declaratory Resolution of the Sanitary District of the City of Indianapolis, Indiana

Staff recommended that the Board of Public Works approve and adopt Resolution No. 61, 2010, this resolution will allow the Indianapolis Local Public Improvement Bond Bank to provide reimbursement for additional capital projects for the Sanitary District from the Series 2010A Notes. On October 28, 2009, the Board of Public Works approved Declaratory Resolution No. 96, 2009, which authorized up to \$85 million in bond financing to fund Sanitary District projects. On November 11, 2010, the Sanitary District secured \$85 million in short-term financing through a Wells Fargo Indexed Rate Note. The note has an initial term of two years and a final maturity of five years. To date, approximately \$30 million has been drawn down and spent on Consent Decree, STEP and Rehabilitation projects throughout the District. We anticipate borrowing another \$15 million through the end of 2010. The average borrowing cost for the drawn funds has been about 1.02%. There is a 0.40% fee for the undrawn portion of the note. Upon a motion by Mr. Hughes, seconded by Mr. Parrin, the Board voted 4-0 to approve the Declaratory Resolution of the Sanitary District of the City of Indianapolis, Indiana. Upon a motion by Mr. Hughes, seconded by Mr. Parrin, the Board voted 4-0 to approve and adopt Board Resolution No. 61, 2010.

- b. Resolution No. 63, 2010; Approving the Recording of Liens against Properties for Defaulting of Financial Assistance Plan Agreement

Staff recommended that the Board of Public Works approve and adopt Resolution No. 63, 2010, for the recording of liens. The STEP Financial Assistance Plan (FAP) was designed to assist residents meeting certain income criteria in paying the \$2,500 connection fee. Residents in a STEP project area whose gross annual household income meets the income criteria qualify for the FAP. This allows them to pay \$49 per month, including administrative fees, over 60 months, 5 years, in lieu of the one-time payment of \$2,500. After an agreement is signed, a certificate is issued to the resident. The certificate is then used as a form of payment in lieu of the \$2,500 cash payment when applying for the Sewer Connection Permit. Upon a motion by Mr. Hughes, seconded by Ms. Parrin, the Board voted 4-0 to approve and adopt Board Resolution No. 63, 2010.

ITEM # 3 – BID AWARDS

- a. SD-20-003B, Pendleton Pike and Shadeland Storm Water Improvements Phase II
\$1,536,673.00 – Eagle Valley, Inc.

Staff recommended that the Board of Public Works award Project No. SD-20-003B, Pendleton Pike and Shadeland Storm Water Improvements Phase II to Eagle Valley, Inc., in the not to exceed amount of \$1,536,673.00 on the basis that it is the lowest responsive and responsible bidder. The engineer's estimate for construction of this project is \$1,850,853.00 and the percentage between the low bid and the engineer's estimate is 17%. This project consists of maintenance of traffic, clearing of right of way, grading and drainage, storm sewer cleaning and inspection, and other related items. Upon a motion by Mr. Parrin, seconded by Mr. Samuel, the Board voted 4-0 to approve the Pendleton Pike and Shadeland Storm Water Improvements Phase II Project.

- b. SD-10-069; 58th and Tremont Street Storm Water Improvements
\$96,724.00 – Indiana Reclamation and Excavating, Inc.

Staff recommended that the Board of Public Works award Project No. SD-10-069, 58th and Tremont Street Storm Water Improvements to Indiana Reclamation and Excavating, Inc., (IRE) in the amount not to exceed \$96,724.00 on the basis that it is the lowest responsive and responsible bidder. The engineer's estimate for construction of this project is \$105,700.00 and the percentage between the low bid and the engineer's estimate is 10%. The Bid 3 proposal indicated a low bid of \$96,824.00; however, during the evaluation of their bid, a math error was found, and it was determined that the correct not to exceed amount is \$95,724.00. This project consists of construction of storm water inlets, manholes, pipes, ditches, asphalt pavement removal and replacement and seeding to provide positive drainage within the vicinity of 58th Street and Tremont Street. Upon a motion by Mr. Hughes, seconded by Mr. Samuel, the Board voted 4-0 to approve the 58th and Tremont Street Storm Water Improvements Project.

- c. RS-10-049; Scioto Street Rehabilitation
\$292,151.48 – Grady Brothers, Inc.

Staff recommended that the Board of Public Works award Project No. RS-10-049, Scioto Street Rehabilitation to Grady Brothers, Inc., in the not to exceed amount of \$292,151.48 on the basis that it is the lowest responsive and responsible bidder. The engineer's estimate for construction of this project is \$290,401.40 and the percentage between the low bid and the engineer's estimate is 1%. This project consists of the rehabilitation of the existing storm drainage and resurfacing of Scioto Street from dead end north to

Maryland Street. Mr. Hughes asked Mr. Smith why there had only been one bidder. Mr. Smith replied that he believed it was due to the complexity of the project. Mr. Parrin acknowledged the basic policies; yet, asked if there were any additional rules that staff has to follow because of the one bidder. Mr. Smith replied no. Upon a motion by Mr. Parrin, seconded by Mr. Hughes, the Board voted 4-0 to approve the Scioto Street Rehabilitation Project.

- d. ST-25-162; Georgia Street Improvements
\$11,343,519.47 – Hunt Construction Group, Inc.

Staff recommended that the Board of Public Works award Project No. ST-25-162, Georgia Street Improvements to Hunt Construction Group, Inc., with a base bid of \$10,048,641.61 plus add alternate #3 of \$1,208,022.35 and add alternate #7 of \$86,855.51 for a total not to exceed amount of \$11,343,519.47 on the basis that it is the lowest responsive and responsible bidder. The engineer's estimate for the base bid plus alternate #3 and alternate #7 for construction of this project is \$9,739,198.02 and the percentage between the low bid and the engineer's estimate is 16.5%. The Georgia Street Improvements Project consists of the reconstruction of three blocks of Georgia Street from Conesco Fieldhouse (Pennsylvania Street) to the Indiana Convention Center (Capitol Avenue). The existing street has an excess capacity and the project will provide safe pedestrian access to both event venues as well as a flexible event space in the street. Georgia Street will be converted from a 4-lane curb and gutter section with outside parking to a 2-lane curb less configuration. Wide pedestrian facilities will be located along the building faces and a pedestrian mall will be located in the median.

Mr. Parrin asked how much of the project would be completed before the Super Bowl. Ms. Kelsey replied that there are two phases, Phase A which has a final completion day of December 1, 2011; and Phase B that has a completion day of December 1, 2012; and that staff is expecting everything to be open and ready to go by the final completion dates. Mr. Parrin added that he understood that the project needs to be open to traffic; however, asked about the on street parking. Mr. Boyce stated that there were a number of stakeholders who were interested in making sure that retailers had on street parking adjacent to the facilities. Mr. Parrin asked whether or not staff would close the parking during events. Mr. Boyce replied yes. Mr. Hughes commented that it was unusual to see a project go from four lanes to two lanes; and asked what kind of traffic analysis was done to support the decision. Mr. Lutz replied that there was traffic data on Georgia Street, and by it being dead ends on both ends, the amount of traffic on both sides was really low. However, he stated that the major points of traffic flow was not your typical rush hour issue, it was more of your event based, like events at Conesco and the Convention Center. Mr. Hughes asked whether or not street parking would be metered. Mr. Boyce replied yes. Upon a motion by Mr. Parrin, seconded by Mr. Hughes, the Board voted 4-0 to approve the Georgia Street Improvements Project.

ITEM # 4 - CHANGE ORDERS

- a. RS-10-057, C/O No. 2; Resurfacing in Pike, Decatur and Washington Townships
\$4,489.81 – Milestone Contractors, L.P.

Staff recommended that the Board of Public Works approve and authorize the Director to execute Change Order No. 2 for Milestone Contractors, L.P. in the increased amount of \$4,489.81 for a new contract total not to exceed \$3,011,356.71 and no increase of calendar days for Project No. RS-10-057, Resurfacing in Pike, Decatur and Washington Townships. This change order is for adjustment of various pay items due to changes made to match field conditions. Upon a motion by Mr. Parrin, seconded by Mr. Hughes, the Board voted 4-0 to approve Change Order No. 2 for Resurfacing in Pike, Decatur and Washington Townships Project.

- b. RS-09-028, C/O No. 2; Resurfacing with Related Items in Center Township
\$67,917.61 – Calumet Civil Contractors

Staff recommended that the Board of Public Works approve and authorize the Director to execute Change Order No. 2 to Calumet Civil Contractors in the increased amount of \$67,917.61 for a new contract total not to exceed \$1,909,597.09 and an increase of 57 calendar days for Project No. RS-09-028, Resurfacing with Related Items in Center Township. This project is for the resurfacing, curb, sidewalk and ADA ramps along Dr. Martin Luther King between Fall Creek and 30th Street. This project also provides various amenities to enable on street parking, landscaped medians, rain gardens, new bus shelters, decorative crosswalks and other related items. Upon a motion by Mr. Hughes, seconded by Mr. Samuel, the Board voted 4-0 to approve Change Order No. 2 for Resurfacing with Related Items in Center Township Project.

The Chair diverted from the standard agenda to hear Item 2A, Resolution No. 61, 2010.

ITEM # 5 - FINAL CHANGE ORDERS AND ACCEPTANCE

- a. CW-09-015; C/O No.1/FINAL; Indy Access Curbs, Sidewalks and Ramps in Center and Washington Townships
\$(36,378.00) – New Beginnings Construction, LLC

Staff recommended that the Board of Public Works approve and authorize the Director to execute Change Order No. 1/FINAL for New Beginnings Construction in the decreased amount of \$(36,378.00) for a new contract total not to exceed \$431,147.00 and an increase of 33 calendar days to the original established final completion date for Project No. CW-09-015, Indy Access Curbs, Sidewalks and Ramps in Center and Washington Townships, and furthermore to accept this project as final. This contractor substantially completed the project on April 30, 2010. At that time, the final inspection and a punch list item were outstanding. This change order adds 33 days to the original final completion date of June 15, 2010 to allow for these two matters to occur, making the new final completion date July 18, 2010. Mr. Parrin asked if there was only one open project with this contractor. Mr. Smith replied yes. Upon a motion by Mr. Parrin, seconded by Mr. Samuel, the Board voted 4-0 to approve Final Change Order No. 1 for the Indy Access Curbs, Sidewalks and Ramps in Center and Washington Townships Project.

- b. RS-08-019; C/O No. 1/FINAL; Resurfacing with Related Items in Center, Lawrence, and Warren Townships
\$40,816.85 – Milestone Contractors, L.P.

Staff recommended that the Board of Public Works approve and authorize the Director to execute Change Order No. 1/FINAL for Milestone Contractors, L.P. in the increased amount of \$40,816.85 for a final contract total not to exceed \$1,012,497.85 and an increase of 7 calendar days for Project No. RS-08-019, Resurfacing with Related Items in Center, Lawrence, and Warren Townships, and furthermore to accept this project as final. This is the final change order to balance planned quantities versus actual placed quantities. Upon a motion by Mr. Parrin, seconded by Mr. Samuel, the Board voted 4-0 to approve Final Change Order No. 1 for the Resurfacing with Related Items in Center, Lawrence and Warren Townships Project.

ITEM # 6 – PROFESSIONAL SERVICE AGREEMENTS

- a. SD-20-003B, Pendleton Pike and Shadeland Avenue Storm Water Improvement, Phase II Project
\$192,362.75 – Bollinger, Lach & Associates, Inc.

Staff recommended that the Board of Public Works approve and authorize the Director to execute the Construction Inspection Services Agreement with Bollinger, Lach & Associates, Inc., for Project No. SD-

20-003B, Pendleton Pike and Shadeland Avenue Storm Water Improvement, Phase II Project in the amount not to exceed \$192,362.75. The full time inspection services are for construction consisting of storm water improvements including the installation of storm pipe, structures, ditch grading, milling, resurfacing of streets, and other related items. Upon a motion by Mr. Hughes, seconded by Ms. Samuel, the Board voted 4-0 to approve the Pendleton Pike and Shadeland Avenue Storm Water Improvement Agreement.

- b. BL-10-069E, Sunset/Kessler Septic Tank Elimination Program
\$112,903.39 – Wilcox Professional Services

Staff recommended that the Board of Public Works approve and authorize the Director to execute the Construction Inspection Services Agreement with Wilcox Professional Services for Project No. BL-10-069E, Sunset/Kessler Septic Tank Elimination Program project in the amount not to exceed \$112,903.39. This project consists of the installation of approximately 13,000 feet of low pressure sanitary sewer including associated grading, seeding and road restoration. Mr. Hughes asked if a RFQ document is prepared with each project. Mr. Masbaum replied that staff has a number of RFQs; that it depends on the individual project. He stated that typically staff tries to RFQ all projects; however, it does not always work that way. Mr. Masbaum mentioned that it makes sense to stick with the current consultant that is working on another phase of the project. Further, Mr. Masbaum stated that when staff can, staff prefers to RFQ. Upon a motion by Mr. Parrin, seconded by Mr. Samuel, the Board voted 4-0 to approve Sunset/Kessler Septic Tank Elimination Program Agreement.

- c. ST-26-050, Emerson Avenue Streetscape Design
\$166,400.00 – Rundell Ernstberger Associates, LLC

Staff recommended that the Board of Public Works approve Professional Services Agreement for Design with Rundell Ernberger Associates Project No. ST-26-050, Emerson Avenue Streetscape Design in the not to exceed amount of \$166,400.00. The design consultant will prepare the engineering design, spot location survey, environmental reports, historical documentation, and right of way coordination in accordance with Federal and State requirements associated with the Federal Transportation Enhancement grant. Upon a motion by Mr. Hughes, seconded by Mr. Parrin, the Board voted 4-0 to approve the Emerson Avenue Streetscape Design Agreement.

- d. ST-09-069, Widening of Georgetown Road, 56th to 62nd Street
\$166,400.00 – Bernadin, Lochmueller & Associates, Inc.

Staff recommended that the Board of Public Works approve and authorize the Director to execute an Agreement with Bernadin, Lochmueller & Associates, Inc., for design of the widening of Georgetown Road from 56th to 62nd Street for a contract amount not to exceed \$877,865.00. The purpose of this contract is to provide engineering services for the widening of Georgetown Road from 2 lanes to 4 lanes, between 56th and 62nd Street. Upon a motion by Mr. Samuel, seconded by Mr. Hughes, the Board voted 4-0 to approve the Widening of Georgetown Road, 56th to 62nd Street Agreement.

- e. BM-31-005, Morris Street over White River
\$885,000.00 – Butler, Fairman & Seufert, Inc.

Staff recommended that the Board of Public Works approve and authorize the Director to execute a the Construction Inspection Services Agreement with Butler, Fairman & Seufert, Inc., for Project No. BM-31-005, Morris Street over White River in the amount not to exceed \$885,000.00. The purpose of this

agreement is to provide full time inspection services for the rehabilitation of Morris Street Bridge over White River. Upon a motion by Mr. Parrin, seconded by Mr. Samuel, the Board voted 4-0 to approve the Morris Street over White River Agreement.

ITEM # 7 – PROFESSIONAL SERVICE AMENDMENTS

Items 7a through 7e were all approved at once.

- a. ENG-09-004, On-Call Inspection Engineering Services, Amendment No. 2
\$0.00 – Crawford, Murphy & Tilly, Inc.

Staff recommended that the Board of Public Works approve and authorize the Director to execute Amendment No. 2 to the Professional Service Agreement dated March 11, 2009, with Crawford, Murphy & Tilly, Inc., for Project No. ENG-09-004, On-Call Inspection Engineering Services for time only in the unchanged amount not to exceed \$475,000.00. Upon a motion by Mr. Parrin, seconded by Mr. Hughes, the Board voted 4-0 to approve Amendment No. 2 to the On-Call Inspection Engineering Services Agreement.

- b. ENG-08-004, On-Call Inspection Engineering Services, Amendment No. 3
\$0.00 – Janssen and Spaans Engineering

Staff recommended that the Board of Public Works approve and authorize the Director to execute Amendment No. 3 to the Professional Service Agreement dated January 23, 2008, with Janssen & Spaans for Project No. ENG-08-004, On-Call Inspection Engineering Services for time only in the unchanged amount not to exceed \$100,000.00. Upon a motion by Mr. Parrin, seconded by Mr. Hughes, the Board voted 4-0 to approve Amendment No. 3 to the On-Call Inspection Engineering Services Agreement.

- c. ENG-09-001, As-Needed Construction Inspection Services, Amendment No. 2
\$0.00 – URS Corporation

Staff recommended that the Board of Public Works approve and authorize the Director to execute Amendment No. 2 to the Professional Service Agreement dated March 25, 2009, with URS Corporation for Project No. ENG-09-001, As-Needed Construction Inspection Services for time only in the unchanged amount not to exceed \$160,000.00. Upon a motion by Mr. Parrin, seconded by Mr. Hughes, the Board voted 4-0 to approve Amendment No. 2 to the As-Needed Construction Services Agreement.

- d. ENG-03-025, Maintenance Bond Inspection, Amendment No. 4
\$0.00 – Eagle Ridge Civil Engineering

Staff recommended that the Board of Public Works approve and authorize the Director to execute Amendment No. 4 to the Professional Service Agreement dated December 28, 2006, extending the contract period to December 31, 2012, with Eagle Ridge Civil Engineering for Project No. ENG-03-025, Maintenance Bond Inspection. This amendment is to extend the original contract one year to allow for continued involvement by Eagle Ridge Civil Engineering; which is at no additional cost. Upon a motion by Mr. Parrin, seconded by Mr. Hughes, the Board voted 4-0 to approve Amendment No. 4 to the Maintenance Bond Inspection Agreement.

- e. ENG-07-011, On-Call Inspection Engineering Services, Amendment No. 4
\$0.00 – Clark Dietz

Staff recommended that the Board of Public Works approve and authorize the Director to execute Amendment No. 4 to the Professional Service Agreement dated April 9, 2007, with Clark Dietz for Project No. ENG-07-011, On-Call Inspection Engineering Services for time only in the unchanged amount not to exceed \$160,000.00. Upon a motion by Mr. Parrin, seconded by Mr. Hughes, the Board voted 4-0 to approve Amendment No. 4 to the On-Call Inspection Engineering Services Agreement.

- f. ENG-08-018, On-Call Land Acquisition Services, Amendment No. 1
\$0.00 – Beam, Longest & Neff, LLC

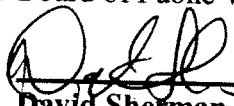
Staff recommended that the Board of Public Works approve and authorize the Director to execute Amendment No. 1 with Beam, Longest & Neff, LLC for Project No. ENG-08-018, On-Call Land Acquisition Services for extending the expiration date until December 31, 2012. This on call contract for land acquisition services is scheduled to expire on December 31, 2010, with no increase in the total contract amount of \$2,500,000.00. Upon a motion by Mr. Hughes, seconded by Mr. Samuel, the Board voted 4-0 to approve Amendment No. 1 to the On-Call Land Acquisition Services Agreement.

- g. BE-80-021A, Multiple Hearth Furnace Improvements, Amendment No. 1
\$7,000.00 – Incinerator RX Corporation

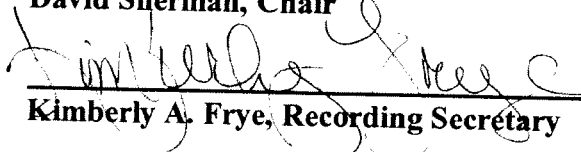
Staff recommended that the Board of Public Works approve and authorize the Director to execute Amendment No. 1 to the Professional Service Consultant Agreement with Incinerator RX Corporation, for Project No. BE-80-021A, Multiple Hearth Furnace Improvements in the amount of \$7,000.00 and a new contract total not to exceed \$59,920.00. This amendment shall participate in energy recovery and regulatory review meetings, provide technical review and analysis, and provide equipment and operational engineering recommendations. Upon a motion by Mr. Hughes, seconded by Mr. Samuel, the Board voted 4-0 to approve Amendment No. 1 to the Multiple Hearth Furnace Improvements Agreement.

Director Sherman mentioned that he wanted to point out to folks that did not read or see the article in the Indianapolis Star; that the Department of Public Works completed the modification plan of the Consent Decree. He stated that this will bring better water quality and much more.

There being no further business the meeting of the Board of Public Works was adjourned at 2:05 p.m.



David Sherman, Chair



Kimberly A. Frye, Recording Secretary